David G. Lewallen Serial No.: 10/650,266 AMENDMENT Page 4

REMARKS

Claims 2 and 7 have been amended to place them in independent form, claims 1 and 3-6 have been canceled and new claims 8 and 9 have been added to the application. In view of these amendments and the following remarks, a reconsideration and allowance of the application is requested.

Claims 2 and 7 were indicated as being allowable if rewritten in independent form. This has been done and these claims should be in condition for allowance.

New claim 8 is similar to canceled claim 4 except it has been narrowed to specifically indicate that the subject is seated on the supporting structure. Dependent claim 9 specifically indicates the bone in which the magnet is implanted is the ischial tuberosity of the pelvis. These limitations clearly distinguish over the Jore 5,507,835 reference which teaches the implantation of a magnet in an amputated leg bone to relieve compression of tissue from a prosthesis. New claims 8 and 9 are, therefore, believed to recite patentable subject matter.

Favorable reconsideration and allowance of this application is respectfully requested.

The Commissioner is authorized to charge any fees under 37 CRF § 1.17 that may be due on this application to Deposit Account 17-0055. The Commissioner is also authorized to treat this amendment and any future reply in this matter requiring a petition for an extension of time as incorporating a petition for extension of time for the appropriate length of time as provided by 37 CFR § 136(a)(3).

Respectfully submitted,

DAVID G. LEWALLEN

Date:

Barry E. Sammons Quarles & Brady, LLP

Reg. No. 25,608 Attorney for Applicant

411 East Wisconsin Avenue

Milwaukee WI 53202

414/277-5000